

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**RONALD VOTER,**

**Plaintiff,**

**V.**

**C.W. BARKER,**

**Defendant.**

**CASE NO. 4:12CV3002**

# MEMORANDUM AND ORDER

Plaintiff Ronald Voter has filed a motion seeking the appointment of counsel. (Filing No. [29](#).) The court cannot routinely appoint counsel in civil cases. In [Davis v. Scott, 94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel . . . .” [Id.](#) (quotation and citation omitted). No such benefit is apparent here. Thus, the request for the appointment of counsel is denied without prejudice to reassertion.

IT IS THEREFORE ORDERED that: Plaintiff's Motion to Appoint Counsel (Filing No. 29) is denied without prejudice.

DATED this 5<sup>th</sup> day of February, 2013.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge

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